THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION No.12830 of 1999

Date: 08.08.2007

Between:
Smt.Bibijan and others.

... PETITIONERS

AND

The Revenue Divisional Officer and another.

... RESPONDENTS

ORDER:

The petitioners claim to be the owners of an extent of Ac.4.35 cents of land in various survey numbers of Kalakada Village, Chittoor District. They were also issued pattedar pass books by the Mandal Revenue Officer, Kalakada, the second respondent herein.

The Revenue Divisional Officer, Madanapalli, the first respondent herein, issued a show cause notice, dated 02.05.1999, to the petitioners. It was alleged that the petitioners relinquished their rights over the said land for the purpose of construction of a Government Office Complex and even before the entries could be made, pattedar pass books were issued in their favour. The petitioners were required to submit explanation as to why the pattedar pass books and other related documents shall not be cancelled. The same is challenged in this writ petition.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

The petitioners do not contend that the second respondent is not vested with the power to cancel the pattedar pass books. The matter is at the preliminary stage and the petitioners are

required to submit their explanation. It is represented that the petitioners filed a suit being O.S.No.321 of 1996, on the file of the Senior Civil Judge, Piler in respect of that very land. Even assuming that the suit is pending, the jurisdiction of the first respondent to initiate proceedings under the Andhra Pradesh Rights in Land and Pattedar Pass Books Act, 1971, does not get affected. The petitioners can put forward all their objections through their explanation to the show cause notice.

Hence, the writ petition is dismissed, leaving it open to the petitioners to submit their explanation within four weeks from today. Further, status quo, as on today, as regards possession shall remain in force, till the first respondent passes final orders in the matter. There shall be no order as to costs.

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08.08.2007

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